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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--|-------------|----------------------|-----------------------------|------------------------|
| 10/754,553 | 01/12/2004 | Patrice Aguilera | 43315-201407 | 9284 |
| 26694 | 7590 | 07/06/2007 | | |
| VENABLE LLP P.O. BOX 34385 WASHINGTON, DC 20043-9998 | | | EXAMINER BEACH, THOMAS A | |
| | | | ART UNIT 3671 | PAPER NUMBER |
| | | | MAIL DATE 07/06/2007 | DELIVERY MODE PAPER |

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/754,553

Applicant(s)

AGUILERA, PATRICE

Examiner

Thomas A. Beach

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3671

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 23 February 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 2,4,7,8 and 15-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 2,4,7,8 and 15-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. Claims 2, 7, 8, 15-17, 20, and 23-25 are rejected under 35 U.S.C. 102(b) as being anticipated by French Reference FR 2473673. FR '673 shows subsea oil and/or gas exploration device (fig 1), comprising: at least one projecting guide member 8 comprising a plurality of generally vertically extending projections 18 arranged about a central axis; and at least one receiving guide member 9 comprising a receiving structure, each receiving structure having an inner surface defining a truncated cone (fig 2), each receiving structure being operative to engage the plurality of projections on the at least one projecting guide member, each receiving structure comprising a plurality of recesses extending through the inner surface of the receiving structure, each recess engaging one of the projections, such that each projection extends through one of the recesses 20.

As concerns claim 2, FR '673 shows each projection 18 comprises a tapered end portion (fig 2).

As concerns claim 7, FR '673 shows the receiving structure comprises a hollow body that defines a funnel, and wherein the recesses 20 are provided in a wall of the funnel (fig 2).

As concerns claim 8, FR '673 shows the projections of recesses 20 are arranged circumferentially around a center axis of the each projecting guide member and the

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recesses are arranged circumferentially around a center axis of each receiving guide member (fig 2).

As concerns claim 15, FR '673 shows the projections of each projecting guide member or recesses of each receiving guide member are arranged around a center axis of the each projecting guide member or each receiving guide member (fig 2).

As concerns claim 16, shows the projections of each projecting guide member or recesses of each receiving an individual guide member are evenly angularly distributed around a center axis of the each projecting guide member or each receiving guide member (fig 2).

As concerns claim 17, FR '673 shows the device is a base device that is to be located on the sea bottom (fig 1).

As concerns claim 18-19, FR '673 shows the device defines a well template and wherein the equipment to be seated thereon comprises a Christmas tree and/or a blow out preventer device 4.

As concerns claim 24, FR '673 shows at least one projecting member is arranged on subsea equipment that is to be landed (fig 1).

As concerns claim 25, FR '673 shows the at least one receiving guide member is arranged on subsea equipment that is to be landed (fig 1).

Claim Rejections - 35 USC § 103

2. Claims 4, 21, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over French Reference FR 2473673 alone. As concerns claims 4 and 21-22, examiner

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takes official notice that it would have been an obvious matter of design choice to modify FR '673 to include each projection with an outer layer of a low-friction material such as a polymer poly-tetra-fluor-ethylene to reduce the frictional contact between elements. Furthermore, routine experimentation would lead one of ordinary skill in the art to this application of material.

3. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over French Reference FR 2473673 alone. As concerns claim 20, FR '673 shows the device 4 but does not show a pump, a de-sander, a de-oiler, a separator, a transformer or a subsea frequency converter. It would have been an obvious matter of design choice to modify the combination to include one of the known elements since they are all forms of well intervention devices and these particular equivalent are not disclosed to solve any particular problem or purpose and it appears other equipment would work equally well. Furthermore, routine experimentation would lead one of ordinary skill in the art to these choices of devices.

Response to Arguments

4. Applicant's arguments with respect to claims have been considered but are moot in view of the new ground(s) of rejection. Applicant's arguments related to the single guide and receiving member have a plurality of projections and recesses are noted; however, as noted above the rejections show references that includes these elements as amended.

Conclusion

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas A. Beach whose telephone number is 571.272.6988. The examiner can normally be reached on Monday-Friday, 8:00am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Will can be reached on 571.272.6998. The fax phone number for the organization where this application or proceeding is assigned is 571.273.8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Thomas A. Beach

June 10, 2007

THOMAS A. BEACH
Primary Examiner
Group 3600